S.B.Cr.Misc. Bail App. No. 5478/2007
(Gauri Shanker Vs. State of Rajasthan)

Date of order : 22.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.S. Rathore for the petitioner.

Mr. Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioner that the co-accused Yogesh Kumar has been granted bail and the case of the present petitioner is not distinguishable from that of the co-accused. This fact has not been disputed by the learned Public Prosecutor.

Looking to the facts and circumstances of the case and the fact that co-accused Yogesh Kumar has been granted bail, I consider it just and proper to grant anticipatory bail to the accused petitioner.

Accordingly, the bail application filed by the petitioner under Section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Gauri Shanker s/o Sita Ram in FIR No.255/2007 Police Station, Kotwali, Churu, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to

surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following order :

(i) That he shall make himself available for interrogation by a police officer as and when required;

(ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii) That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR), J.

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